STATEMENT OF SUBSTANCE OF INTERVIEW

Application No. 09/688,277

Participants:
  (1) Dolores R. Collins, Patent Examiner
  (2) Derris Banks, Supervisory Patent Examiner
  (3) Henry Lo, Applicant of the Invention

Date of Interview: July 27, 2004

Claim discussed: Independent claim 1.

Identification of prior art discussed: Feola

In the telephone interview dated July 27, 2004, we discussed subject matters sought be patented related to my two patent applications, number 09/823,571 and 09/688,277. I felt that we spent plenty of time discussing the subject matter related to the patent number 09/823,571, and spend only a few minutes of time discussing the subject matter related to this application. As a result, an Agreement with respect with the patent application number 09/823,571 was reached, and no Agreement with respect to the claim 1 of this application was reached. Reconsideration of my Statement of Substance of the Interview under my following remarks and arguments is respectfully requested.

Feola's patent, number 5,839,731, discloses a selected casino game of blackjack, baccarat or a stud poker (Abstract). It teaches that (1) a player may wager on one or more of a group of hands (Abstract), and the hand or hands the player wagers must compete with all other dealt hands; the player places a wager or wagers neither playing against a banker's hand nor betting on the content of the player's own hand; (2) in Feola's stud poker, prior to a wager is placed, at least one player must choose that said winning combination has either the highest poker ranking or the lowest poker ranking of said dealt hands (claim 17); (3) after a wager is placed, typically six hands are always dealt (column 3, lines 43-44), regardless of the number of players, but neither each player nor a banker (who other players play against) receives any cards (claim 1), thus said players can not obtain the fun of reading cards; (4) a player's wager wins if the hand the player wagers has the highest poker ranking of dealt hands or the lowest poker ranking of dealt hands, whichever is chosen to be the winning combination (claim 1); (5) winning wagers are paid a multiple of wagers (claim 16); and (6) prior to dealing cards, at least one player places a vigorish (claim 18). In most cases, (7) only one out of six hands wins in each round of play, a 16.66% chance of winning a wager. (8) If a player places six wagers of same amount on six dealt hands, the player can lose almost every time in any given hand of play due to the house advantage taken into account or the requirement of a vigorish.

The claim 1 and its dependent claims of my invention discloses only a 7-card stud poker game. It teaches that (1) a player may place a Poker wager betting that the player's hand beats the banker's hand and/or a Pair Of Aces Or Better wager betting on the content of the player's own

hand, and the hand the player wagers does not have to compete with all other dealt hands (Abstract); (2) prior to a wager is placed, no player is required to choose that said winning combination has either the highest poker ranking or the lowest poker ranking of said dealt hands; (3) after at least one of said wagers is placed, two or up to seven hands, depending on the number of players, are dealt; every said player and said banker each then receives his or her own seven cards, thus said players (including the banker) can obtain the fun of reading cards (claim 1); (4) the player's Poker wager wins if the player's best 5-card poker hand beats the banker's best 5-card poker hand (description, page 3, lines 27-29); and the player's Pair Of Ace Or Better wager wins if the player's best 5-card poker hand is a pair of Aces, Two Pair, 3 of a Kind, Straight, Flush, Full House, Straight Flush, Royal Flush or 5 Aces (description, page 4, lines 32-33); (5) either winning said wager is mainly paid even money, namely 1 to 1; and (6) no vigorish is required prior to dealing cards (claims 5-6 & 8-13). (7) My invention provides a player a 49.98% chance of winning a Poker wager and a 46.22% chance of winning a Pair Of Aces Or Better wager, it offers players in either said wager a much higher winning frequency than the one Feola offers; a game with high winning frequency certainly is more fun to play than the one with low winning frequency. (8) If the player places both said wagers, the player can win both said wagers, can win one said wager and lose the other, or can lose both said wagers; and no matter how the player wagers, he or she can **not** lose almost every time in any given hand of play.

From what had been discussed above, we can perceive many apparent and huge differences between this application and Feola, especially in the areas of, how each players receive his or her hand, how a winning wager is determined and how it is paid; and these differences shall overcome the rejection as being unpatentable over Feola. Thus, my present invention, as now claimed, is obviously neither shown nor suggested by Feola. It is novel and is patentably distinct from Feola. I believe that the foregoing remarks and arguments in the Statement of Substance of Interview place this application in condition for allowance.

Respectfully submitted,

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